

PATENT COOPERATION TREATY

10 Rec'd PCT/PTG 12 JAN 2005

INGEK 15 MRT 2004

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

Paraaf Bewerken

PCT

To:

Van Westenbrugge, A. et al.
 NEDERLANDSCH OCTROOIBUREAU
 Scheveningseweg 82
 (P.O. Box 29720)
 NL-2502 LS The Hague
 PAYS-BAS

International: PER

rapporteur en client:

11-4-'04

3e ind termijn

12-1-'05

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing
(day/month/year)

11.03.2004

Applicant's or agent's file reference
P206641PCT EVR/jdo

IMPORTANT NOTIFICATION

International application No.
PCT/NL 03/00286International filing date (day/month/year)
15.04.2003Priority date (day/month/year)
12.07.2002

Applicant

F.T. ENGINEERING B.V. et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international
preliminary examining authority:

European Patent Office
 D-80298 Munich
 Tel. +49 89 2399 - 0 Tx: 523656 epmu d
 Fax: +49 89 2399 - 4465

Authorized Officer

Kurzbaumer, K

Tel. +49 89 2399-6020



Form PCT/PEA/416 (January 2004)

BEST AVAILABLE COPY

10 Rec'd PCT/PTO 12 JAN 2005

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

REC'D 12 MAR 2004

WIPO PCT

Applicant's or agent's file reference P206641PCT EVR/do	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/NL 03/00286	International filing date (day/month/year) 15.04.2003	Priority date (day/month/year) 12.07.2002
International Patent Classification (IPC) or both national classification and IPC B29C45/17		
Applicant F.T. ENGINEERING B.V. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 11.02.2004	Date of completion of this report 11.03.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Deubler, U Telephone No. +49 89 2399-2923 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/NL 03/00286

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-5 as originally filed

Claims, Numbers

1-9 as originally filed

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/NL 03/00286

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1 - 9
	No: Claims	
Inventive step (IS)	Yes: Claims	1 - 9
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1 - 9
	No: Claims	

2. Citations and explanations

see separate sheet

The following documents (D) are referred to in this report :

- D1: WO 95 04643 A (ENGEL MASCHINENBAU GMBH) 16 February 1995 (1995-02-16)
- D2: EP-A-0 835 731 (ENGEL MASCHINENBAU GMBH) 15 April 1998 (1998-04-15)
- D3: PATENT ABSTRACTS OF JAPAN vol. 13, no. 220 (E-762), 23 May 1989 (1989-05-23) & JP 01 031428 A (MITSUBISHI ELECTRIC CORP), 1 February 1989 (1989-02-01)

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1.) The invention relates to an injection moulding device comprising a frame.

An injection moulding device of this type is known from e.g. documents D1 to D3.

The object of the invention is to provide a non-rigid connection between one of the mould parts and the frame and/or the actuating means for opening and closing said mould part without mutual displacement along metallic surfaces.

This object is achieved according to the invention by the injection moulding device comprising a frame which extends with a first mold part, which cannot be displaced along a vertical axis, on the top side or underside and a second mould part, which can be displaced along a vertical axis on the underside or top side, displacement means, which are arranged between the frame and the second mould part in order to displace the second mould part from and to the first mould part in order to carry out an injection moulding operation, aligning means being arranged between the frame and a mould part in order to displace the free end face of the first mould part such that it bears flat against the free end face of the second mould part, said aligning means comprising at least two ribs which lie in line with one another and extend perpendicularly and radially with respect to the vertical axis in a plane and which ribs are on the one hand connected to a mould part and on the other hand connected to the frame or the displacement means, which ribs end at a central opening, as defined in claim 1.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/NL03/00286

None of the documents D1 to D3 cited in the INTERNATIONAL SEARCH REPORT discloses or renders obvious the combination of the features of the claims in their entirety.

Therefore independent claim 1 meets the requirements of Articles 33 (2) and (3) PCT.

- 2.) The dependent claims are related to further particular embodiments of the invention as defined in claim 1.

Therefore the dependent claims meet the requirements of Articles 33 (2) and (3) PCT, either.

Additional Remarks :

- 1.) In claim 9 it is not clear which specific apparatus-features are comprised because the aligning means are not defined as such (Article 6 PCT).
The preceding claims only refer to an injection moulding device which is clearly defined by specific apparatus-features, but not to aligning means.
- 2.) If the Applicant is aware of a document disclosing a vertically opening injection moulding device, the Applicant should have mentioned this document in the description.
- 3.) Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1 to D3 is not mentioned in the description, nor are these documents identified therein.